

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE VIVENDI UNIVERSAL, S.A.  
SECURITIES LITIGATION

This document relates to:

1:08-CV-1983  
1:08-CV-1111  
1:08-CV-950  
1:07-CV-11628  
1:07-CV-10954  
1:07-CV-10578  
1:07-CV-8830  
1:02-CV-5571

02 Civ. 5571 (RJH/HBP)

NOTICE OF MOTION AND MOTION TO  
ADMIT COUNSEL *PRO HAC VICE*

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, William H. Narwold, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Applicant's Name: Donald A. Migliori

Firm Name: Motley Rice LLC

Address: 321 South Main Street

City/State/Zip: Providence, Rhode Island 02903

Phone Number: 401-457-7700

Fax Number: 401-457-7708

Donald A. Migliori is a member in good standing of the Bars of the State of Rhode Island, Commonwealth of Massachusetts and State of Minnesota. There are no pending disciplinary proceedings against Donald A. Migliori in any State or Federal court.

Respectfully submitted this 24th day of April, 2008.

By: MOTLEY RICE LLC

A handwritten signature in black ink, appearing to read 'W. Narwold', is written over a horizontal line.

William H. Narwold (WN-1713)

MOTLEY RICE LLC

One Corporate Center

20 Church Street, 17<sup>th</sup> Floor

Hartford, Connecticut 06103

Telephone: (860) 882-1676

Facsimile: (860) 882-1682

[bnarwold@motleyrice.com](mailto:bnarwold@motleyrice.com)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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| <p style="text-align: center;"><b>IN RE VIVENDI UNIVERSAL, S.A.<br/>SECURITIES LITIGATION</b></p> <p><b>This document relates to:</b><br/><b>1:08-CV-1983</b><br/><b>1:08-CV-1111</b><br/><b>1:08-CV-950</b><br/><b>1:07-CV-11628</b><br/><b>1:07-CV-10954</b><br/><b>1:07-CV-10578</b><br/><b>1:07-CV-8830</b><br/><b>1:02-CV-5571</b></p> | <p style="text-align: center;"><b>02 Civ. 5571 (RJH/HBP)</b></p> <p style="text-align: center;"><b>AFFIDAVIT OF WILLIAM H.<br/>NARWOLD IN SUPPORT OF<br/>MOTION TO ADMIT<br/>COUNSEL <i>PRO HAC VICE</i></b></p> |
|---|--|

William H. Narwold, being duly sworn, hereby deposes and says as follows:

1. I am a member of Motley Rice LLC, counsel for Plaintiff Capital Invest, die Kapitalanlagegesellschaft der Bank Austria Creditanstalt Gruppe GmbH in Docket No. 1:02-CV-5571 and for Plaintiffs in Docket Nos. 1:08-CV-1983, 1:08-CV-1111, 1:08-CV-950, 1:07-CV-11628, 1:07-CV-10954, 1:07-CV-10578 and 1:07-CV-8830. I am familiar with the proceedings in these cases. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Donald A. Migliori as counsel *pro hac vice* to represent the Plaintiffs just identified.

2. I am a member in good standing of the bars of the States of Connecticut and South Carolina and the District of Columbia. I was admitted to practice law in 1979. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this court.

3. I have known Donald A. Migliori since 2003.

4. Donald A. Migliori is a member of Motley Rice LLC and an attorney in good standing of the Bars of the State of Rhode Island, the State of Minnesota and the Commonwealth of Massachusetts.


5. I have found Mr. Migliori to be a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Procedure.

6. I respectfully submit a proposed order granting the admission of Donald A. Migliori, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit Donald A. Migliori, pro hac vice, to represent to represent the above-referenced Plaintiffs in the above-captioned matters, be granted.

Respectfully submitted this 24th day of April, 2008.

By: MOTLEY RICE LLC

  
\_\_\_\_\_  
William H. Narwold (WN-1713)  
MOTLEY RICE LLC  
One Corporate Center  
20 Church Street, 17<sup>th</sup> Floor  
Hartford, Connecticut 06103  
Telephone: (860) 882-1676  
Facsimile: (860) 882-1682  
[bnarwold@motleyrice.com](mailto:bnarwold@motleyrice.com)

**THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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| <b>IN RE VIVENDI UNIVERSAL, S.A.<br/>SECURITIES LITIGATION</b><br><br><b>This document relates to:</b><br><b>1:08-CV-1983</b><br><b>1:08-CV-1111</b><br><b>1:08-CV-950</b><br><b>1:07-CV-11628</b><br><b>1:07-CV-10954</b><br><b>1:07-CV-10578</b><br><b>1:07-CV-8830</b><br><b>1:02-CV-5571</b> | <b>02 Civ. 5571 (RJH/HBP)</b><br><br><b>ORDER FOR ADMISSION PRO HAC<br/>VICE ON WRITTEN MOTION</b> |
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Upon the motion of William H. Narwold, counsel for Plaintiff Capital Invest, die Kapitalanlagegesellschaft der Bank Austria Creditanstalt Gruppe, and pursuant to Rule 1.3(c) of the local Civil Rules of this Court,

IT IS HEREBY ORDERED that

Applicant's Name: Donald A. Migliori

Firm Name: Motley Rice LLC

Address: 321 South Main Street

City/State/Zip: Providence, Rhode Island 02903

Phone Number: 401-457-7700

Fax Number: 401-457-7708

is admitted to practice pro hac vice as counsel for Plaintiffs in the above captioned case(s) in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system,

counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.


DATED: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Richard J. Holwell  
United States District Judge

**CERTIFICATE OF SERVICE**

This is to certify that on this 25th day of April, 2008, I served a copy of the foregoing Motion to Admit Counsel Pro Hac Vice with the Admissions Clerk of the United States District Court for the Southern District of New York by overnight delivery. I also caused copies of the same, and of this Certificate of Service, to be served on the following parties by electronic mail and first class, United States mail, postage prepaid:

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|---|---|
| <p>Morris A. Bowie, II, Esq.<br/> Richard M. Lorenzo, Esq.<br/> James G. Szymanski, Esq.<br/> DAY PITNEY, LLP<br/> 875 Third Avenue 28<sup>th</sup> Floor<br/> New York, New York 10022</p>                     | <p>Martin L. Perschetz, Esq.<br/> Einat Phillip, Esq.<br/> Michael E. Swartz, Esq.<br/> SCHULTE ROTH &amp; ZABEL, LLP<br/> 919 Third Avenue<br/> New York, New York 10022</p>   |
| <p>Lisa Albert, Esq.<br/> Michael J. Malone, Esq.<br/> KING &amp; SPAULDING, LLP<br/> 1185 Avenue of the Americas<br/> New York, New York 10036</p>   | <p>Jonathan D. Polkes, Esq.<br/> James W. Quinn, Esq.<br/> Penny P. Reid, Esq.<br/> WEIL GORSHAL &amp; MANGES, LLP<br/> 767 Fifth Avenue<br/> New York, New York 10023</p>  |
| <p>Timothy G. Cameron, Esq.<br/> Michael T. Reynolds, Esq.<br/> Paul C. Saunders, Esq.<br/> Daniel Slifkin, Esq.<br/> CRAVATH, SWAINE &amp; MOORE, LLP<br/> 825 Eighth Avenue<br/> New York, New York 10019</p> | <p>Nathan D. Finch, Esq.<br/> CAPLIN &amp; DRYSDALE, CHARTERED<br/> One Thomas Circle, N.W.<br/> Suite 1100<br/> Washington, DC 20005</p> <p>Leslie Margaret Kelleher, Esq.<br/> CAPLIN &amp; DRYSDALE, CHARTERED (NYC)<br/> 375 Park Avenue<br/> 35th Floor<br/> New York, NY 10152-1100</p> |



William H. Narwold

RHODE ISLAND SUPREME COURT

Office of the Clerk

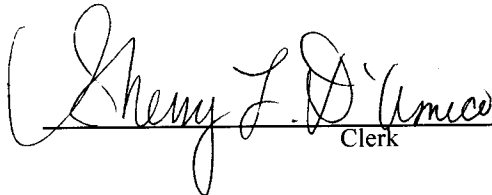


Licht Judicial Complex  
250 Benefit Street  
Providence, RI 02903

DONALD A MIGLIORI  
MOTLEY RICE LLC  
POST OFFICE BOX 6067  
321 SOUTH MAIN STREET  
PROVIDENCE, RI 02940-6067

This certifies that DONALD A MIGLIORI of PROVIDENCE, RHODE ISLAND, is an Attorney and Counselor of the Supreme Court of the State of Rhode Island, and as such was on 20-JUL-1993 admitted to practice in all the Courts of said State, as appears of record in this the office of the clerk of the Supreme Court of said State and is in good standing and qualified to practice in said Courts. The Supreme Court is the highest Court in the State.

Given under my hand and the seal of said Supreme Court  
at Providence, on April 24, 2008.

  
Clerk